BILL NO. Z-81-09-25

ZONING MAP NUMBER Z- 36-8/

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AN ORDINANCE amending the City of Fort Wayne Zoning Map Number M-34.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-2-A District (Tara Convenience Center):

> A part of the Northeast Ouarter of Section 23, Township 31 North of Range 12 East in Allen County, Indiana, being more particularly described as follows:

Beginning at the Southeast corner of said Quarter Section; running thence North 90 degrees 00 minutes 00 seconds West upon and along the South line of said Quarter Section a distance of 330.00 feet to a point; running thence North 00 degrees 22 minutes 00 seconds West and parallel with said Quarter Section East line a distance of 612.00 feet to a point; running thence North 90 degrees 00 minutes 00 seconds East and parallel with said Quarter Section South line a distance of 330.00 feet to a point on said Quarter Section East line and the Centerline of said State Road 27; running thence South 00 degrees 22 minutes 00 seconds East upon and along said East line and Centerline a distance of 612.00 feet to the Beginning Point; containing 4.636 acres, more or less.

Subject, however, to a 25 foot strip of ground along the entire North side thereof for the rightof-way of a future street; subject also; to the right-of-way for State Road 27 along the entire Eastermost side thereof; subject further, to any other legal easements or rights-of-way of record.

SECTION 2. The "B-2" Shopping Center Symbol now located at the intersection of Essex Lane and Coldwater Road (U.S.#27), City of Fort Wayne, Indiana zoning map under the terms of Chapter 33 of the Municipal Code of the City of Fort Wayne Zoning Map Number M-34, referred to therein, established by Section 33-11, of said Chapter is hereby deleted.

SECTION 3. That this Ordinance shall be in full

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force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Mark C. Gra Sunts

APPROVED AS TO FORM AND LEGALITY SEPTEMBER 18, 1981.

BRUCE O. BOXBERGER, CITY ATTORNEY

•					2	
Read the firs seconded by by title and referr Plan Commission for due legal notice, a Indiana, on	recommend at the Cour	dation) and ncil Chambe	d Public Hear	ıng to be nty Buildi	held after ng, Fort Wayne,	
		, 19,	at	o'clock	M.,E.S.T.	
DATE: 9-6	2-81		-			
			CHARLES W.	WESTERMAN	$\overline{}$	
B - 2 - 13 - 13 - 13 - 1	. a. b. t	f111 .		Dia	Sunta	
Read the thir seconded by PASSED	d cime in	mede	, and duly a	dopted, pl	aced on its	
passage. PASSED	(LOST) h	y the fol	lowing vote:			
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BURNS	У					
EISBART	×					
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NUCKOLS	×					
SCHMIDT, D.	×					
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				-11-1		
SCHOMBURG	<u> </u>					
STIER						
TALARICO						
DATE: //-/0-8/ CHARLES W. WESTERMAN - CITY CLERK						
Passed and adopted by the Common Council of the City of Fort Wayne,						
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)						
(appropriation) ordinance (resolution) No. 3-36-81						
on the 10th day of Morenter, 1981.						
ATTEST: (SEAL)						
Sharlado. alestermane						
CHARLES W. WESTERMA	N - CITY C	LERK	PRESIDING OF	FICER		
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on						
the / day of Morenter, 19 D/, at the hour of						
10:00 o'clock H. M., E.S.T.						
					CITY CLERK	
Approved and	signed by	me this _	17th		_day of Novembe	
19 <u>8</u> , at the hou	r of /.	'NO c	'clock Sm.	,E.S.T.		
			WINFIELD C.	MOSES, JR		

BILL NO. Z-81-09-25	
REPORT OF THE COMMITTEE	ONREGULATIONS
	TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Way	ne Zoning Map Number M-34
	,
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HAVE HAD SAID ORDINANCE UNDER CONSIDERATION	N AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINA	ANCE PASS.
MARK E. GiaQUINTA, CHAIRMAN	lake Gent
SAMUEL J. TALARICO, VICE CHAIRMAN Jan	mel & Talanio
VIVIAN G. SCHMIDT	and I Schmidt
JAMES S. STIER	Juli
DONALD J. SCHMIDT	0)50

CONCURRED IN DATE 1/-10-8/CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

city plan commission

27 October 1981

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 26, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

- 1. Bill No. Z-81-09-25
- 2. From B-2 Symbol to a B-2-A, Neighborhood Shopping Center
- 3. Intended Use: Shopping Center (Tara Convenience Center)
- 4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The rezoning will classify the existing center within the new shopping center ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us. $\ \ \ \ \ \ \ \ \ \ \$

Respectfully submitted,

Senidr Planner

COMMUNITY DEVELOPMENT & PLANNING

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 22, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-09-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1981;

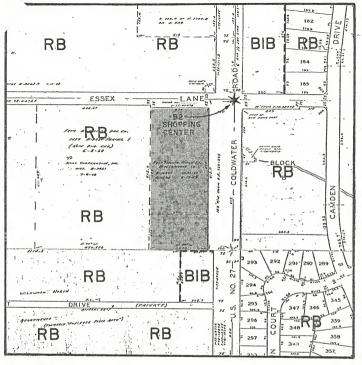
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan:

BE IT FURTHER RESOLVED that the Secretary is hereby directed to a present a copy of this resolution to the Common Council at its next regular meeting.

This is to cerfity that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 26, 1981.

Certified and signed this 27th day of October 1981.

Dennis J. Grotylan Secretary



ZONING RECLASSIFICATION FROM AN B-2 TO A B-2-A DISTRICT .

7-81-09-25

MAP NO. M-34

BY G. R. LAX 9-4-81

PETITION FOR ZONING ORDINANCE AMENDMENT

The Fort Wayne City Plan Commission does hereby petition the Fort Wayne Common Council to amend the Zoning Map of Fort Wayne, Indiana, by zoning Tara Convenience Center a "B-2-A" - Neighborhood Shopping Center. Tara Convenience Center is presently designated a shopping center by authority of a "B-2" Shopping Center Symbol, which sumbol is located at the intersection of Essex Lane and Coldwater Road (U.S. #27). The Commission further petitions the Fort Wayne Common Council to delete the "B-2" Shopping Center Symbol located at the intersection of Essex Lane and Coldwater Road (U.S. #27) from the City of Fort Wayne, Indiana, zoning map. Tara Convenience Center is more particularly described as follows:

A part of the Northeast Quarter of Section 23, Township 31 North of Range 12 East in Allen County, Indiana, being more particularly described as follows:

Beginning at the Southeast corner of said Quarter Section; running thence North 90 degrees 00 minutes 00 seconds West upon and along the South line of said Quarter Section a distance of 330.00 feet to a point; running thence North 00 degrees 22 minutes 00 seconds West and parallel with said Quarter Section East line a distance of 612.00 feet to a point; running thence North 90 degrees 00 minutes 00 seconds East and parallel with said Quarter Section South line a distance of 330.00 feet to a point on said Quarter Section East line and the Centerline of said State Road 27; running thence South 00 degrees 22 minutes 00 seconds East upon and along said East line and Centerline a distance of 612.00 feet to the Beginning Point; containing 4.636 acres, more or less.

Subject, however, to a 25 foot strip of ground along the entire North side thereof for the right-of-way of a future street; subject also; to the right-of-way for State Road 27 along the entire Eastermost side thereof; subject further, to any other legal easements or rights-of-way of record.

FORT WAYNE CITY PLAN COMMISSION

Tw. Jayce Schlatter

Joyce Schlatter Secretary Admn. Appr.

DIGEST SHEET

3-81-09-25	
(Tara Convenience Center)	٠

TITLE OF ORDINANCE Shopping Center Reclassification (Tara Convenience Center) •
DEPARTMENT REQUESTING ORDINANCE CD&P
SYNOPSIS OF ORDINANCE This Ordinance will place this center into the correct
shopping center classification within the new Shopping Center Ordinance.
The Control of the Co
EFFECT OF PASSAGE This Center will be classified under the new ordinance and
will be permitted to develop.
EFFECT OF NON-PASSAGE Denial will prohibit any future development within the
present shopping center boundaries.
MONEY INVOLVED (Direct Costs, Expenditures, Savings) None
MONEY INVOLVED (DITCOV CORRES, EMPERELLE, CARROLLE, CARR
(ASSIGN TO COMMITTEE (IN) Regulations
(ASSIGN TO COMMITTEE (J.N.) Kegulations



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

November 19, 1981

Ms. Judy High Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of November 23 and November 30, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. Z-81-09-04 Zoning Map Ordinance No. Z-32-81

Bill No. Z-81-09-06 (as amended) . Zoning Map Ordinance No. Z-33-81

Bill No. Z-81-09-08 Zoning Map Ordinance No. Z-34-81

Bill No. Z-81-09-23 Zoning Map Ordinance No. Z-35-81 Bill No. Z-81-09-25 Zoning Map Ordinance No. Z-36-81

Bill No. Z-81-10-15 Zoning Map Ordinance No. Z-37-81

Bill No. G-81-10-34 General Ordinance No. G-25-81

Please send us 25 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

City Clerk

CWW/ne ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-34

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-09-06 -- Zoning Map Ordinance No. Z-33-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-27

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-22

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the Cit- of Fort Wayne, Indiana in Regular Session did pass the folowing Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37 -81; being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14

Notice is hereby given that on the 10th day of November, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-81-10-34 -- General Ordinance No. G-25-81; being AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81; Bill No. Z-81-09-28 -- Zoning Map Ordinance No. Z-34-81; Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-34-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37-81 and Bill No. G-81-10-34 -- General Ordinance No. G-25-81, were passed by the Common Council on the 10th day of November, 1981, said Ordinances were signed and approved by the Mayor on the 17th day of November, 1981, and remains on file and on record in my office.

Copies of Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81; Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37-81; will be posted for reading in the following places in Fort Wayne, Allen County, Indiana; also Bill No. G-81-10-34 -- General Ordinance No. G-25-81

- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-09-04 -- Zoning Map Ordinance No. Z-32-81; Bill No. Z-81-09-06 (as amended) -- Zoning Map Ordinance No. Z-33-81; Bill No. Z-81-09-08 -- Zoning Map Ordinance No. Z-34-81; Bill No. Z-81-09-23 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-35-81; Bill No. Z-81-09-25 -- Zoning Map Ordinance No. Z-36-81; Bill No. Z-81-10-15 -- Zoning Map Ordinance No. Z-37-81 and Bill No. G-81-10-34 -- General Ordinance No. G-25-81

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on November 23, 1981

Charles W. Westerman, City Clerk

My commission expires

11/23-30

Fort Wayne Common (Governmental Unit) Allen		
Allen	To NEWS-SEN	TINEL Dr.
	PORTURA 140 PR	
C	ounty, Ind FORT WAYNE,	INDIANA
	PUBLISHER'S CLAIM	
	PUBLISHER'S CLAIM	
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Display Matter (Must not exce	ed two actual lines, neither of which shall total more than four solid lines e body of the advertisement is set) – number of equivalent lines	
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COMPUTION OF CHARGES		
145 lines, 1	columns wide equals 145 equivalent lines at 276¢	\$ 40.02
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Additional charge for notices co	ntaining rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publi	cation (50 cents for each proof in excess of two) 23 extra	11.50
TOTAL AMOUNT C	F CLAIM.	<u>\$ 51.52</u>
DATA FOR COMPUTING COST		
Width of single column 9.6 p	sicas Size of typepoint	
Number of insertions2	Size of quad upon which type is cast6	
Pursuant to the provision and penalties of Ch.	80. Acre 1067	
I hereby certify that the foregoing account is ju-	ast and correct, that the amount claimed is legally due, after allowing all just cred	its, and that no part of the same
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Date Nov.30 19 81	TitleCLF	RK
Form 903	PUBLISHER'S AFFIDAVIT	
	PUBLISHER S AFFIDAVII	
	State of Indiana ALLEN County SS:	
	State of Indiana ALLEN County SS: Personally appeared before me, a notary public in and for sa	id county and state, the
	Personally appeared before me, a notary public in and for sa undersigned	who, being duly sworn, says
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Fort Wayne Common Council	Fort	Wayne	Common	Council
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.....County, Ind.

То	JOURNAL-GAZETTE	r
	FORT WAYNE, INDIANA	

(Governmental Unit))
 Notice is heraby given that on- tha 10th day of November, 1981, tha Common Counciller of the 1981, fort Wayns, Indiana, 1981, 1981, 1981, Session did pass the following Bill No Z-81-9044 — Zornap Mag Or- dinence No. Z-32-81; being AM ORDINANCE amending the City of Fort Wayna Zoning Map No. 0-34 Notice is heraby given that on	
tha 10th day of November, 1981.	

PUBLISHER'S CLAIM

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count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Title CLERK

PUBLISHER'S AFFIDAVIT

ALLEN County SS: Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD ...who, being duly swom, says

that she is. CLERK of the JOURNAL-GAZETTE

2. DAILY ... newspaper of general circulation printed and published

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for the true copy.,the dates of publication being 11/23 - 11/30/81

Subscribed and sworn to before me this_ Anne

November 29, 1985

Form Prescribed by State Board of Accoun	re		General Form No. 99 P (Rev. 1967)
Fort Wayne Common			
(Governmental Unit)		_ To	JOURNAL-GAZETTE Dr.
Allen	Á		FORT WAYNE, INDIANA
	County, Ind.		TORT WITHE INDIMINI
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7.5	PUBLIS	SHER'S CLAIM	
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	ublication (50 cents for each pr	oor in excess or two)	51.52
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Pursuant to the provision and penalties of			
I hereby certify that the foregoing account	is just and correct, that the am-	ount claimed is legally due, after a	llowing all just credits, and that no part of the same
has been paid.			
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Nov.30 81		TO AL	CLERK
Date		Title.	
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